

IAN MANNING,

Plaintiff,

v.

ACTION NO. 2:11cv476

MICHAEL J. ASTRUE, COMMISSIONER, Social Security Administration,

Defendant.

## FINAL ORDER

Plaintiff brought this action under 42 U.S.C. §§ 1383(c)(3) and 405(g), seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying his claim for disability insurance benefits under Title II of the Social Security Act.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on May 11, 2012, recommending that the decision of the Commissioner be affirmed. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge.

On May 29, 2012, the Court received Plaintiff's Objections to the United States Magistrate Judge's Report and Recommendation (ECF No. 17), and on June 11, 2012, Defendant filed a Response to Plaintiff's Objections to the Report and Recommendation of the Magistrate Judge (ECF No. 18).

Having reviewed the record and finding no error, the Court hereby ADOPTS the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on May 11, 2012, and the decision of the Commissioner is AFFIRMED, Defendant's motion for summary judgment is GRANTED, Plaintiff's motion for summary judgment is DENIED, and this case is DISMISSED.

Plaintiff is ADVISED that he may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this Final Order.

The Clerk shall forward a copy of this Final Order to counsel of record for the parties.

Mark S. Davis

United States District Judge

Norfolk, Virginia

August 21, 2012